

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JAN 19 2007
at 11 o'clock and 15 min. M
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-170 JMS-02
)	
Plaintiff,)	NOTICE OF MOTION; MOTION TO
)	CONTINUE SELF-SURRENDER
vs.)	DEADLINE FROM JANUARY 30, 2007
)	TO FEBRUARY 28, 2007; EXHIBIT A;
)	CERTIFICATE OF SERVICE
)	
BRANDON J. MAGLINTI, <i>ET AL.</i> ,)	
)	Judge: J. Michael Seabright
Defendants.)	
)	
)	

NOTICE OF MOTION

Please take notice that the following motion will be brought on for hearing before the
Honorable J. Michael Seabright, District Judge, as soon as counsel may be heard.

MOTION TO CONTINUE SELF-SURRENDER DEADLINE

Defendant, BRANDON J. MAGLINTI, by his appointed counsel, moves to continue the
deadline for his self-surrender to the term of imprisonment imposed in this action, to permit
completion of an Independent Medical Evaluation/Permanent Partial Disability rating for his

work-related back injury. One month's delay is requested, from January 30, 2007 until February 28, 2007. The documents supporting this request are attached as Exhibit A.

The rating and ultimate award are important for the financial health of Mr. Maglinti's dependants, who will be without his earning potential during his incarceration.

Although the exact length of the rating process is not known, we request a month's additional time so that this matter does not suffer unnecessarily from the requested delay

DATED: Honolulu, Hawaii, January 19, 2007.



BARRY D. EDWARDS
Attorney for Defendant
BRANDON J. MAGLINTI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a file-marked copy of the foregoing document is being served today by fax, and on the date of filing by hand delivery, to the following parties at the following addresses:

Michael K. Kawahara, Esq.
Assistant United States Attorney
300 Ala Moana Blvd., Suite 6-100
Honolulu, HI 96850
By Fax: 541-2958

DATED: Honolulu, Hawaii, January 19, 2007.



Barry D. Edwards